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## **Confronting Sex Trafficking: Lessons from History**

### **Abstract**

Sex trafficking, the trafficking of women and children for the purposes of sexual exploitation, is recognised today as a worldwide problem, affecting hundreds of thousands of people each year. It is not, however, a new phenomenon. This paper will discuss the lessons raised by the National Vigilance Association's response to this problem.

### **Introduction**

Human trafficking is widely acknowledged to be a major social problem. The US Department of State in 2004 estimated that 600,000 to 800,000 people are trafficked across international borders each year; many more are trafficked within their home countries. Whatever the figures, it is generally accepted that this is a global phenomenon; 'no nation is exempt', assert Lodge and Lietz in their review of the literature (2007: 163). The Global Initiative to fight Human Trafficking (UN.GIFT) argues that it is 'a crime of such magnitude and atrocity that it cannot be dealt with successfully by any government alone' ([www.ungift.org/](http://www.ungift.org/)). UN.GIFT was launched in March 2007 by the United Nations Office on Drugs and Crime (UNODC), in cooperation with the International Labour Organization (ILO), the International Organization for Migration (IOM), the United Nations Children's Fund (UNICEF), the Office of the High Commissioner for Human Rights (OHCHR), and the Organization for Security and Co-operation in Europe (OSCE), with the aim of eradicating human trafficking 'by reducing

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both the vulnerability of potential victims and the demand for exploitation in all its forms; ensuring adequate protection and support to those who do fall victim; and supporting the efficient prosecution of the criminals involved, while respecting the fundamental human rights of all persons' ([www.ungift.org/](http://www.ungift.org/)). UN.GIFT builds on the 'Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children' (often referred to as the Palermo Protocol), which supplements the United Nations Convention against Transnational Organized Crime. The protocol was agreed in 2000 and has already been signed by 110 countries. According to Article 3(a) of the protocol, 'trafficking in persons'

... shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.' ([www.uncjin.org/Documents/](http://www.uncjin.org/Documents/))

The protocol goes on to suggest that a person can be considered to have been trafficked even if they have given their consent. Article 3(b) continues:

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'The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used'.

Trafficking for commercial sexual exploitation is a highly lucrative aspect of human trafficking (Bertone 2000), and, at the same time, is deeply rooted in cultural practices (Long 2004). Women and children are especially vulnerable to sex trafficking because of their experiences of powerlessness, poverty, gender-based discrimination and history of sexual and physical violence (Van Hook 2006; [www.ungift.org/](http://www.ungift.org/)). It is difficult to find reliable statistics about exactly how many women and children are trafficked for sex because of the hidden nature of sex trafficking activities. However, Hodge and Lietz (2007) report that between 70 and 80% of those who are trafficked are female, and approximately 50% are children. Among the females, 70% are trafficked for prostitution. Asia, Africa, eastern Europe, countries of the former Soviet Union and, to a lesser extent, Latin America, all feature as countries of origin, while Europe, the United States, Japan and Thailand are the most prominent destinations for trafficked women and children (Hodge and Lietz 2007).

While sex trafficking may seem to be a contemporary problem, the reality is that public concern about sex trafficking is not new. Voluntary associations in the late nineteenth and early twentieth centuries fought to bring the issue to the fore, and set about creating local and international mechanisms for tackling the problem at different levels. Drawing on doctoral study (archival research and interviews), this article will outline the history and development of one such organisation, the National Vigilance Association (NVA), and conclude by considering the legacy of its work for social work today.

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### **The origins of the NVA**

The National Vigilance Association (NVA) was launched at a public meeting in London, England, in August 1885. Its purpose was to act as the main agency which would undertake private prosecutions and alert the police to infringements of the newly-passed Criminal Law (Amendment) Act. The Act's main provisions were as follows:

- (i) it became an offence to procure a woman under 21 years of age for prostitution - those found guilty were liable to a prison sentence of not less than two years;
- (ii) the age of sexual consent was raised from 13 to 16 years;
- (iii) anyone who detained a woman or a girl for the purposes of unlawful sex, in any brothel or other premises was guilty of an offence;
- (iv) any male found committing homosexual acts in private or public could be sent to prison for up to two years;
- (v) financial penalties or imprisonment were imposed on anyone found guilty of keeping, managing, assisting, owning or renting out premises used as a brothel, or for the purposes of prostitution.

Prostitution had been a major focus for public anxiety throughout the nineteenth century (Walkowitz 1980). Prostitutes were blamed for damaging the health of the nation in general, and the armed forces in particular; immorality was identified as the root cause of almost all social problems (Mort 1987). Public concern came to a head in campaigns for and against the imposition of the Contagious Diseases (CD) Acts of 1864, 1866 and 1869. The CD Acts had been introduced by government (and supported by new public health scientists and some doctors) as a way of regulating the 'necessary evil' of

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prostitution. The Acts allowed for the registration, examination and isolation of women who were thought to be working as prostitutes in military stations, garrisons and seaside towns across southern England and Ireland. Women found to have a sexually transmitted disease were taken to 'lock wards' in hospitals and could be contained there for up to two years; no such action was taken against the (male) soldiers. Clergymen, feminists and social purity activists came together to fight for the repeal of the Acts. Their fury was, in part, because of the inhumane treatment of women (who were forced to undergo internal physical examinations without their consent) and partly because they believed that the only way to end prostitution was through its abolition, not through statutory regulation (Walkowitz 1980 and 1982).

After the CD Acts had been successfully suspended in 1883, campaigners united to fight a new target: child prostitution and the entrapment and removal of white British girls into brothels overseas (the so-called 'white slave trade'). Again, fears about children and white slavery were not new. Novels and short stories about children's involvement in prostitution had circulated at various times during the nineteenth century, brought to a head in July 1885 with the publication of a series of lurid and sensationalised articles in London's *Pall Mall Gazette*, entitled 'The Maiden Tribute of Modern Babylon', which described the purchase of 13-year old 'Lily' from her mother and her removal to France. These stories caused a public outcry. There was a widespread call for something to be done to protect children from prostitution, and the Criminal Law (Amendment) Bill which had been languishing for the previous two years was rushed through parliament (Weeks 1981). The Criminal Law (Amendment) Act of 1885 demonstrated a compromise solution: it was a compromise between those who wanted more state control of prostitution, and those who believed it was best left to individual conscience. Because of

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this, although prostitution was effectively outlawed, the body which was set up to manage the Act was a voluntary organisation, the National Vigilance Association. The consequences of the Act, for women working as prostitutes and for gay men, were cruel and repressive, as increasing numbers found themselves either on the street or imprisoned (Walkowitz 1982). The playwright, Oscar Wilde, was one of the many casualties of this legislation.

### **NVA activities, 1885-1952**

In the early years after the passing of the Criminal Law Amendment Act, the NVA grew in numbers and influence so that by 1888, there were 300 affiliated groups in the UK (Bristow 1977). As will be described in more detail below, branches engaged in a range of activities, at local, national and international levels.

#### Local activity

Local branches of the NVA waged a two-pronged campaign of law enforcement and prevention in their campaign to eradicate immorality and prostitution. They investigated brothels, dance halls and 'dangerous houses' (thought to be operating as brothels), removing young women and children who were seen as being at risk. They gave 'tip-offs' to the police, and initiated prosecutions in respect of indecent advertising, the music halls, prostitution and pornography. They joined in a campaign to restrict the sale of 'rubber goods' (contraceptive devices) through magazines. During the First World War, NVA members conducted a campaign of public education, selling thousands of leaflets directed at men, women and girls at meetings and rallies, and warning of the dangers of extra and pre-marital sex. They led a cinema enquiry in the 1930s, with the aim of ensuring that children under 16 years were not being allowed to view 'unsuitable' films.

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They also engaged in a great deal of very public work, on the streets and at meeting and entertainment venues, policing parks used by courting couples and, specifically, by homosexual men, and patrolling the streets, bus and railway stations and the docks, acting as a physical deterrent to immoral conduct. Between 1931 and 1939, in the build-up to the Second World War, the NVA (Eastern Division) in Scotland provided accommodation for sailors while the Home Fleet was stationed in South Queensferry, outside Edinburgh, as a way of preventing the men being picked up by prostitutes (Cree 1995).

NVA branches also gave practical and financial support to women and children, many of whom had run away from their homes (sometimes following sexual abuse) or from institutions. Others were poor women who had travelled to cities from rural areas in search of work. Agency archives from the NVA (Eastern Division), Scotland, provide further information here. Case-files report that sometimes women were given a loan of cash, or accompanied back home again. Others were taken to an emigration ship bound for North America or Australia. In one instance, 19-year old Annie,<sup>1</sup> originally from Dundee, was taken to a boat in Greenock three weeks after the birth of her illegitimate child; the baby was fostered in Edinburgh. Not all NVA 'cases' involved sending women away. Some women were escorted to 'safe lodgings' and provided with employment, often as live-in domestic servants or hospital orderlies. Others were taken to one of the local Magdalene Asylums, residential institutions which had been set up from the early years of the nineteenth century to reform women whose behaviour had been found by someone in authority to be 'immoral': that is, prostitutes, single mothers, girls who had been sexually abused, troublesome girls (Mahood 1990). In many cases of illegitimate pregnancy, the NVA (Eastern Division) workers sought out the father of the child to pay



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'aliment', where necessary contacting employers and even the regiment if the father was a serving soldier. Meanwhile, they arranged foster placements (and increasingly, adoption) for the babies. NVA workers also attended police and sheriff courts to assist women and act as probation officers when requested. This practice continued up until 1947, when local authority statutory provision of probation began in Scotland for the first time (Cree 1995). On parallel lines, probation officers in the rest of the UK remained employed by the voluntary sector, though appointed by the courts, until 1936 (Whitehead and Statham 2006).

#### National activity

The London NVA functioned as both a local branch and as the main arm of national activity. Much of the national effort was focused at legislative change. After a long struggle fought by NVA campaigners and others, incest was criminalised in England and Wales in 1908 under the Punishment of Incest Act. Another Criminal Law (Amendment) Act was passed in 1912, extending the powers of the 1885 Act by giving courts discretionary powers to whip as well as imprison men convicted of procuring or living off the earnings of prostitutes. In 1922, a third Act was passed, lengthening the period during which a victim of sexual assault could lodge a complaint and limiting the 'reasonable cause to believe' defence to men of 23 years and younger (this allowed male defendants to claim they believed a girl in a sexual assault case was over 16 years of age). A campaign to raise the age of sexual consent to 21 years never received parliamentary approval, in spite of a long legal battle by NVA supporters.

#### International activity

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At the end of the nineteenth century, international activity was fuelled by fresh press allegations about the enforced prostitution of juveniles in brothels abroad (Bristow 1977). William Coote, the NVA's national secretary,<sup>2</sup> began an international crusade to tackle 'white slavery' on a world-wide basis, following a dream in 1898 in which he claimed he was 'commanded by God' to embark on a missionary tour to 'every capital in Europe' to tell government leaders and dignitaries about the evils of the white slave trade (Coote, *Vision*, 21, quoted in Roberts 2006). The first International Congress organised by the NVA was held in London in 1899 and this launched the International Bureau for the Suppression of the White Slave Traffic. The International Bureau acted as the sponsoring organisation for a series of European conferences which met between 1899 and the outbreak of war in 1914. Although it functioned as a separate organisation from the NVA, the NVA provided its premises, secretariat and the major part of its funding throughout its existence. At the same time, the NVA's executive committee formed the International Bureau's British National Committee. The International Bureau's activities, like those of its partner NVA, were concerned with law enforcement and regulation on the one hand, and measures to protect vulnerable women and children on the other (Self 2003). In 1921, the League of Nations took over the campaigning work of the International Bureau, and during the 1920s and 1930s, co-operated with the NVA on seeking agreements between countries on the repatriation of prostitutes, on the traffic of women and children, on the abolishment of 'licensed houses' (regulated brothels) and on assistance for expelled foreign prostitutes.

As already stated, the NVA and International Bureau both gave practical help and advice to women and children, as a way of preventing their sexual exploitation. The Travellers Aid Society (TAS) had been set up in 1885 under the auspices of the Young Women's

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Christian Association (YWCA). Its aim was to have its workers posted at all the stations and docks, to befriend young British women who were travelling alone, and to turn away any foreign prostitutes who tried to disembark in Britain. In 1903, the NVA established its own International Guild of Service for Women, operating on complimentary lines to the TAS. By 1910, the Guild of Service operated throughout Europe, co-ordinated by a secret telegraphic code, common armbands and international conferences.

### **Endings of the NVA**

The NVA had financial difficulties almost from its inception (Bristow 1977). Private prosecutions were expensive to conduct, and the NVA was unable to recoup costs from the government. Gradually, activities initiated by the NVA came to be taken over by other agencies: the international work became subsumed by the United Nations; and, in the UK itself, the police increasingly took responsibility for the control of prostitution, while statutory social work agencies took over work with women and children which had been carried out by local branches. The last two remaining national-level groups (the NVA and the International Bureau's British National Committee) merged in 1952 to form the British Vigilance Association (BVA). This agency concentrated on lobbying government on various issues, including the licensing of commercial employment agencies, the sale of 'horror comics' (leading to the Children and Young Persons (Harmful Publications) Act of 1955), and the raising of the minimum age of 'au pairs' to 17 years.<sup>3</sup> It also highlighted the situation of Irish girls who had come to Britain on the promise of work and then found themselves without work or accommodation. The BVA presented evidence to the Wolfenden Committee, the departmental enquiry on homosexuality and prostitution, which reported in 1957. It continued to operate kiosks for

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travellers at Victoria and Liverpool Street Stations in London but financial difficulties continued, and the organisation was finally wound up in 1971.

Whilst international and national activities decreased or were subsumed, so local branches of the NVA were forced either to change focus or cease operation. Many had closed by the middle of the twentieth century, and the few branches which remained, like the NVA (Eastern Division) in Scotland, went on to become casework agencies, specialising in work with single mothers and baby adoption (Cree 1995).

## **Discussion**

The NVA's history has a great deal to tell us about the relationship between the individual and the state, about sexuality and about social work. It serves as a warning that social work needs to be clear about its motivations and its likely impacts, both positive and negative.

### A changing relationship between the individual and the state

What is striking is that the NVA began its life as a voluntary body whose task was to investigate immorality and bring private prosecutions for prostitution. In other words, it was clearly understood and accepted that sexual behaviour was a matter for the individual, not the state; that what went on in families and behind closed doors was not a concern of government. This attitude can be seen again in the approach taken towards the abuse of children. Throughout the nineteenth century, campaigners (some of whom were also involved in vigilance work) fought to draw public and government attention to the maltreatment of children at the hands of their parents and guardians in their own homes. The National Society for the Prevention of Cruelty to Children (NSPCC) was

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subsequently founded in 1884 as the principal agency for investigating and prosecuting parents in cases of child abuse by parents. Like the NVA, it represented a compromise between those who wanted greater involvement of the state, and those who held the liberal position that 'a man's home is his castle' (Clapton 2008).

The shift towards greater acceptance of the notion that the state has a right and, indeed a duty, to intervene in the lives of citizens is one which we can see increasingly in the UK over the last 100 years or so. Today we expect the authorities (police and/or social workers) to intervene in cases of neglect or harm of children and vulnerable adults, just as we expect the authorities (police or procurator fiscal) to prosecute such cases. In fact, in situations where they are deemed not to have acted quickly enough or with enough force, statutory agencies are held up for public blame (Butler and Drakeford 2005).

#### A changing view of sexuality

The NVA's story also gives clear insight into changing attitudes towards sexuality. The nineteenth century campaigners believed that women and children were essentially passive creatures in need of protection. Sexual intercourse was understood, first and last, as an act of procreation: something which women should accept on those terms, but not enjoy. All sexual behaviour which fell outside this parameter (hence intercourse between same sex partners, or outside marriage) was essentially deviant, if not downright ungodly. According to this conceptualisation, women who were working as prostitutes were either seen as victims of male abuse, or they were culpable on two grounds: not only was their behaviour immoral, but they were judged more harshly because they were women. The sexual double standard operating at the time allowed men, in contrast, to 'sow their wild oats' without inevitable recrimination. Whilst some

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clergymen and campaigners called for men to adopt women's assumed higher standards of sexual behaviour, it was generally assumed that men might stray, whether this was with paid sex workers, or, more controversially, with domestic servants or even their own children.

What we can see in the following 100 years in the UK is a relaxing of rules around some forms of sexual behaviour, while at the same time, a tightening-up of others. This is demonstrated in official responses to homosexuality, to children and sexuality and to prostitution.

Sexual behaviour between same sex couples represents the area which has made most progress in terms of liberalising attitudes. It is no longer an offence in the UK for consenting male adults to have a same sex liaison. The 1967 Sexual Offences Act decriminalized sex in private between men over 21 years of age and in 2000, the homosexual age of consent was lowered to 16, the same as for heterosexuals. Britain's laws against buggery and gross indecency were later repealed with the passage of the Sexual Offences Act of 2003. The more accepting approach to gay lifestyles is also demonstrated across the UK in the acceptance of same sex marriages (known as civil partnerships) under the Civil Partnerships Act of 2005.

Sex with children has, in contrast, become increasingly regulated in the UK. It has already been noted that incest became a criminal offence in England and Wales for the first time in 1908. Since then, successive legislation regarding children has been built on the premise that children need to be protected from sexual activity. In more recent times, this has been expressed in terms of public concern for the 'grooming' of children by

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adults, sometimes in person, and also via the internet. Under the Sexual Offences Act 2003, Section 15, it became an offence for an adult over 18 to groom a child under 16 for sex; those convicted of internet grooming in England and Wales face up to 10 years in jail. (The Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005 carries similar provisions.) The law also forbids under 16s from engaging in any sexual activity, from touching to full intercourse. This would seem, at first sight, a very draconian clause, but the government has made it clear that it does not intend to prosecute cases of under-age sex, leaving some ambiguity in its attitudes towards children and sexuality.

Interestingly, the 2003 Act also includes provisions against sex tourism. People who travel abroad with the intent to commit sexual offences can have their passports revoked or travel restricted. This clause reflects increasing public concern in recent years about the exploitation of children overseas, expressed in concern for children working in the sex industry and concern about the trafficking of women and children (often, again, to meet the demands of the sex industry). The Coalition against the Trafficking of Women was formed in 1988 to promote women's human rights by working internationally to combat sexual exploitation in all its forms. Since then, other organisations have joined the cause and more recently, Unicef (The United Nations International Children's Emergency Fund) has led the campaigning on this issue world-wide. Unicef argues that child prostitution is an issue of global poverty, not just of sex, and both boys and girls are seen as at risk of exploitation in many of the poorer countries of the world ([www.unicef.org.uk/](http://www.unicef.org.uk/)).

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Prostitution, or 'sex work' as its supporters prefer, has continued to be treated with ambivalence, condoned in some settings, and criminalised in others. The Netherlands operates a relaxed approach towards prostitution: it is legal and sex workers have access to the social security system, may join unions, have to pay income tax and are treated like any other self-employed tradesperson. In contrast, Sweden passed a new law in 1999 prohibiting the buying of sexual services (Mansson 2001: 135). It is not illegal to sell sex in Britain. It is, nonetheless, illegal to solicit for sex, making it almost impossible to do so legally. In consequence, some local authorities have taken matters into their own hands. Birmingham (England) and Edinburgh (Scotland) both license massage parlours and, for a time, Edinburgh operated a tolerated zone for street work. However, a public re-think of this policy led to the passing of new legislation in October 2007 on so-called 'kerb-crawling'. Under the Prostitution (Public Places) Scotland Act, anyone caught soliciting for sex from a prostitute, as well as those 'loitering for the same purpose', are to be fined up to £1,000 and given a criminal record. 'Persistent offenders' may have their cars confiscated. This legislation, perhaps more than any other, demonstrates the mixed feelings which the subject of prostitution engenders in the public conscience. In a police 'blitz' in the month of October 2007, over 400 men were arrested (*Evening News* 13<sup>th</sup> October 2007), yet at the same time, prostitution still calls itself 'the oldest profession' and Edinburgh's 'lap dancing' clubs are thriving.

### A changing view of social work

The history of this agency also gives insight into the ways social work has changed and developed in the UK over the last 100 years or so. Social work emerged in the UK and the United States as a humanitarian and political response to the social upheaval which



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accompanied the industrial revolution (Cree 2007). While some people who became involved in social work did so because they wanted to change individuals, others wanted to change society, and for many more, the two imperatives went hand-in-hand. The NVA demonstrates the breadth of early social work activity in the UK. It was prepared to act on the national and international scene, and to campaign for changes in legislation while at the same time intervening at a very local level. As the organisation changed and developed, so it gave up its claim to be a social movement.

Social work in the UK today is a much more proscribed affair. Not only has it relocated, quite literally, 'from public streets to private lives' (Cree 1995), but it is also a much more procedurally driven, bureaucratic, narrowly defined activity. It seems that in the establishment of social services in the UK, we may have lost sight of the full capacity of social work. Nevertheless, the social work characterised by the NVA does still take place today in large parts of the developing world, where the job of social work continues to be centred on social change and social development, not just assessment and care management. The international definition of social work agreed in 2000 by the International Association of Schools of Social Work and incorporated as the Key Purpose of Social Work within the National Occupational Standards in Social Work in the UK offers ample scope for a broader vision for UK social work:

'Social work is a profession which promotes social change, problem solving in human relationships and the empowerment and liberation of people to enhance well-being. Utilising theories of human behaviour and social systems, social work intervenes at the points where people interact with their environments. Principles of human rights and social justice are fundamental to social work.'

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## **Conclusion**

This article has, in conclusion, been more about social work than about sex trafficking. The emotive, highly charged subject of the sexual trafficking of women and children across and within countries has been used as a means of interrogating what social work is, and might be. I have argued that the NVA's history has much to tell us about the relationship between the individual and the state, about sexuality and about social work. But it also highlights the risks which are an inevitable part of social work policy and practice. The NVA was a reactionary, conservative and punitive movement, as well as being one that had the courage to speak out about subjects which had been hidden from the public eye, such as prostitution and sexual abuse. The humanitarian and religious impulse to safeguard women and children which came to a head at the end of the nineteenth century led to the passing of legislation in the UK which has been described as 'a particularly nasty and pernicious piece of omnibus legislation' (Walkowitz 1982). The actions of NVA members over the next 50 years or so were positive for some women and children and at the same time, highly damaging for others, leading to the imprisonment of some men and women, the splitting up of families and the removal of children into care. What this suggests is that as social workers, we must never be complacent. In an interview, the French philosopher Michael Foucault said, 'My point is not that everything is bad, but everything is dangerous, which is not exactly the same as bad. If everything is dangerous, then we always have something to do... I think that the ethico-political choice we have to make every day is to determine which is the main danger' (1982: 231-232). This is a helpful reminder that we must remain alert not only to the context in which social work is operating, but also to the likely consequences and

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implications of social work (negative as well as positive) in all its forms, wherever we are located.

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<sup>1</sup> All names have been changed to protect confidentiality.

<sup>2</sup> The term 'Secretary' would equate with 'Director' of a voluntary organisation today.

<sup>3</sup> An 'au pair' is typically a foreign-national domestic assistant who is working for, and living as part of, a host family, often for a small wage in return for child care and some housework activities.